

AMENDED IN ASSEMBLY APRIL 1, 2003

CALIFORNIA LEGISLATURE—2003–04 REGULAR SESSION

ASSEMBLY BILL

No. 514

Introduced by Assembly Member Kehoe

February 18, 2003

An act to add Section ~~14670.45~~ 104.22 to the ~~Government~~ *Streets and Highways* Code, relating to state property.

LEGISLATIVE COUNSEL'S DIGEST

AB 514, as amended, Kehoe. State property: park lease.

Under existing law, the Department of ~~General Services~~ has various responsibilities regarding the use and disposition of state property. *Transportation has possession and control of all property and rights in property acquired for state highway purposes. Existing law requires the department, upon the request of a city, county, or special district, to lease unoccupied, unimproved property that is held for a future highway use and does not have commercial, industrial, or residential use as its most feasible or best use, to the city, county, or special district.*

This bill would authorize the department to lease *specified* real property to the City of San Diego for a public park under ~~prescribed~~ *certain* terms and conditions.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section ~~14670.45~~ 104.22 is added to the
- 2 ~~Government~~ *Streets and Highways* Code, to read:

1 ~~14670.45.~~

2 104.22. (a) Notwithstanding any other provision of law,
3 subject to existing obligations, the department may lease real
4 property *located between Date Street and the south side of State*
5 *Highway Route 5 between 7th Avenue and 10th Avenue, and*
6 *property located between 10th Avenue and the west side of State*
7 *Highway Route 163 between Date Street and Cedar Street*, to the
8 City of San Diego for a public park, provided that the lease serves
9 a public purpose.

10 (b) *The lease shall be for one dollar (\$1) per year.* At the end
11 of the initial five-year period of the lease and every five years
12 thereafter, the lease shall be reviewed to ensure compliance by the
13 lessee with the original purposes of the agreement and may be
14 renewed if appropriate. ~~The property shall be let for the amount of~~
15 ~~one dollar (\$1) per year.~~ The lease amount may be paid in advance
16 of the term covered in order to reduce the administrative cost
17 associated with the payment of the ~~monthly~~ rental fee.

18 (c) ~~Any~~ The lease executed pursuant to this section shall also
19 provide for the cost of administering the lease. The administrative
20 fee shall not exceed three hundred dollars (\$300) per year, unless
21 the director and any affected state agency determine that, because
22 of complications in the lease agreement, a higher administrative
23 fee is required.

